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<b>To:</b>	Office of Petitions	<b>From:</b>	Steven M. duBois (540-361-1863)
<b>Fax:</b>	1-571-273-8300	<b>Date:</b>	August 25, 2010
<b>Phone:</b>		<b>Pages:</b>	7 (including cover page)
<b>Re:</b>	U.S. Application No. 10/534,343	<b>CC:</b>	

☒ **Urgent**    ☒ **For Review**    ☐ **Please Comment**    ☒ **Please Reply**    ☐ **Please Recycle**

• **Comments:**

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Doc Code: TRAN.LET

Document Description: Transmittal Letter

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

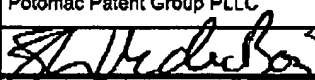
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/534,343	
	Filing Date	2005-07-18	
	First Named Inventor	Anthony Spencer	
	An Unit	2474	
	Examiner Name	Abdullah Riyami	
Total Number of Pages in This Submission	5	Attorney Docket Number	0120-032

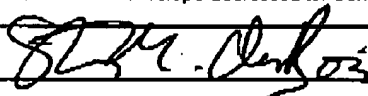
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ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition to Correct Potential Errors Credit Card Payment Form
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Potomac Patent Group PLLC		
Signature			
Printed name	Steven M duBols		
Date	August 25, 2010	Reg. No.	35,023

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Steven M. duBols	Date	August 25, 2010

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-08)

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# **FEE TRANSMITTAL**

## **For FY 2009**

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 2150.00

### **Complete if Known**

Application Number 10/534,343  
Filing Date 2005-07-18  
First Named Inventor Anthony Spencer  
Examiner Name Abdulla Riyami  
Art Unit 2474  
Attorney Docket No. 0120-032

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### **METHOD OF PAYMENT (check all that apply)**

- ☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_
- ☒ Deposit Account Deposit Account Number 50-7248 Deposit Account Name: PPG
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
- ☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### **FEE CALCULATION**

#### **1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

#### **2. EXCESS CLAIM FEES**

##### **Fee Description**

Each claim over 20 (including Reissues)  
Each independent claim over 3 (including Reissues)  
Multiple dependent claims

Fee (\$)	Small Entity Fee (\$)
52	26
220	110
390	195
Multiple Dependent Claims	
Fee (\$)	Fee Paid (\$)

Total Claims Extra Claims Fee (\$) Fee Paid (\$)

- 20 or HP =            x            =           

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)

- 3 or HP =            x            =           

HP = highest number of independent claims paid for, if greater than 3.

#### **3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)

- 100 =            / 50 =            (round up to a whole number) x            =           

#### **4. OTHER FEE(S)**

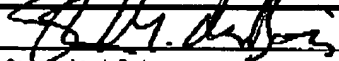
Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition to Correct Errors in Entity Status

Fees Paid (\$)

\$2150.00

### **SUBMITTED BY**

Signature 	Registration No. 35029 (Attorney/Agent)	Telephone 540-361-1863
Name (Print/Type) Steven M. duBois		Date August 25, 2010

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Patent  
Attorney's Docket No. 0120-032

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )

Anthony SPENCER )

Application No.: 10/534,343 )

Filed: July 18, 2005 )

For: PACKET STORAGE SYSTEM )  
FOR TRAFFIC HANDLING )

Confirmation No. 4839

Group Art Unit: 2474

Examiner: Abdulla A. Riyami

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**PETITION UNDER 37 C.F.R. §1.28(c) TO CORRECT POTENTIAL ERRORS  
ASSOCIATED WITH SMALL ENTITY STATUS**

**Mail Stop Petitions**  
Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

A license agreement associated with the above-identified application/patent having an effective date of August 3, 2007, may have triggered a change in status of the Assignee from small entity to large entity. The fees identified in the following itemized chart, as provided for by 37 C.F.R. §1.28(c)(1) and §1.28(c)(2), are enclosed in order to address the possibility that small entity fees were paid erroneously.

The itemization required by 37 C.F.R. §1.28 (c)(2) is provided below.

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Attorney's Docket No. 0120-032

U.S. Application No. 10/534,343

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Paper Filed	Dated Filed	Small Entity Fee Previously Paid	Current Large Entity Fee	Amount Due
Extension of Time (2x)	12/10/2008	\$245	\$490	\$245
Extension of Time (1x)	07/20/2009	\$65	\$130	\$65
Appeal Brief	11/16/2009	\$270	\$540	\$270
Notice of Appeal	12/10/2009	\$270	\$540	\$270
Extension of Time (3x less 1x previously paid)	12/10/2009	\$490	\$980	\$490
Petition to Revive	12/10/2009	\$810	\$1620	\$810
<b>Subtotal Due:</b>				<b>\$2150</b>

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The total potential deficiency associated with U.S. Application No. 10/534,343 is submitted herewith via a Credit Card Payment form. It is believed that no fee is required for processing of this petition. If however, a fee is required, the Office is authorized to deduct such fee from Deposit Account No. 50-7248.

The establishment of small entity status in this application/patent was made in good faith, and all of the small entity fees paid in this application/patent were submitted in good faith. In addition, all of the requirements of 37 C.F.R. § 1.28(c) have been fulfilled. Thus, it is respectfully requested that this petition be GRANTED and that a notice to that effect be returned to the undersigned.

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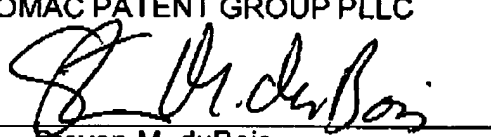
OFFICE OF PETITIONS Attorney's Docket No. 0120-032  
U.S. Application No. 10/534,343  
Page 3

Should any questions arise regarding this petition or the application in general,  
please contact the undersigned at (540) 361-1863.

Respectfully submitted,

POTOMAC PATENT GROUP PLLC

By:

  
Steven M. duBois

Registration No. 35,023

Date: August 25, 2010

Potomac Patent Group, PLLC  
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